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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,079	04/13/2001	Songxiang Wei	16440.4011	3866
34313	7590	07/05/2006	EXAMINER	
ORRICK, HERRINGTON & SUTCLIFFE, LLP			ISMAIL, SHAWKI SAIF	
IP PROSECUTION DEPARTMENT				
4 PARK PLAZA			ART UNIT	PAPER NUMBER
SUITE 1600			2155	
IRVINE, CA 92614-2558			DATE MAILED: 07/05/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/835,079	WEI, SONGXIANG	
Examiner	Art Unit		
Shawki S. Ismail	2155		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 08 June 2006.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1,2,6-10,14-18 and 22-45 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1, 2, 6-10, 14-18, and 22-45 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. ____ .
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ .
5) Notice of Informal Patent Application (PTO-152)
6) Other: ____ .

RESPONSE TO AMENDMENT

1. This communication is responsive to the Request for Continued Examination (RCE) received on June 8, 2006.

Claims 1, 9, 17, 23, 25, 31, 37, 38 and 40 have been amended.

Claims 3-5, 11-13 and 19-21 have been cancelled.

Claims 1, 2, 6-10, 14-18, and 22-45 are pending.

Previous Rejection Maintained

2. The rejection is respectfully maintained as set forth in the last Office Action mailed on March 10, 2005. Applicants' arguments have been fully considered but they are not deemed to be persuasive; therefore, the previous rejection is maintained

Claim Rejections - 35 USC §102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1, 2, 6-10, 14-18, and 22-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Boss et al., U.S. Patent No. 5,758,110.
5. As to claim 1, Boss teaches a method for sharing an application, the method comprising: determining a position and a size of a shared application window displayed in a presenter screen by monitoring and intercepting function calls made by the shared application to a Graphics Device Interface (see Fig. 8, col. 7, line 54-col. 8, line 29, col. 4, lines 49-58);

determining a position and a size of a non-shared application window displayed in the presenter screen by monitoring function calls made by the non-shared application (see Fig. 8, col. 7, line 54-col. 8, line 29);

if the non-shared application window overlaps the shared application window in a region of the presenter screen, determining a position and a size of art the overlapping region (see Fig. 8, col. 7, line 54-col. 8, line 29);

capturing a screen shot of an image corresponding to the shared application window (see Fig. 8, col. 7, line 54-col. 8, line 29); and

transmitting the screen shot and information for the position and size of the overlapping region to generate a viewer screen (see Fig. 8, col. 7, line 54-col. 8, line 29).

6. As to claim 6, Boss teaches the method of claim 1 further comprising:

determining whether the position or the size of the shared application window has changed by monitoring function calls made by the shared application (see Fig. 8, 9, col. 7, line 54-col. 8, line 29); and

if the position or the size of the shared application window has changed, determining a new position or a new size of the shared application window (see Fig. 8, 9, col. 7, line 54-col. 8, line 29).

7. As to claim 7, Boss teaches the method of claim 1 further comprising:
periodically capturing the image corresponding to the shared application window (col. 2, lines 57-67, col. 5, lines 24-39).

8. As to claim 8, Boss teaches the method of claim 7 further comprising:

periodically transmitting the captured image to a viewer (col. 2, lines 57-67, col. 5, lines 24-39).

9. As to claims 9-10, 14-18, and 22-41, they contain similar limitations as above; therefore, they are rejected under the same rationale.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Boss et al.**, U.S. Patent No. **5,758,110** and in view of “**Official Notice**”.

12. As to claims 42-43, Boss teaches the invention as claimed above. Boss does not explicitly teach wherein the function calls by the shared application include a GetRandomRgn function. And wherein the GetRandomRgn function comprises a iNum value of 4.

Applicant’s disclosure states that Microsoft Corp. first published the GetRandomRgn function prototype with the release of Windows 2000. The publication stated that iNum must be SYSGRN (a predefined value). “Official Notice” is taken that the iNum value of 4 is equal to the SYSGRN and it is the only value documented and defined for this function.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to use the value of 4 (SYSRGN) as the iNum value in the GetRandomRgn function in order to accurately determine the visible region of a window.

13. Claim 44-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Boss et al.**, U.S. Patent No. **5,758,110** and in view of Applicant Admitted Prior Art (**AAPA**).

14. As to claim 44, it contains similar limitation as in claim 1 above. Boss teaches sharing graphic application but does not specifically teach OpenGL API based application.

AAPA teach OpenGL API based applications (OpenGL is a well-known application program interface (API) that is used by applications to draw graphics on a presenter's computer screen, page 22 lines 24 – page 23 line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boss with the teachings of AAPA in order to facilitate shared applications having the OpenGL APIs at the presenter's client computer.

15. As to claim 45, it contains similar limitation as in claim 1 above. Boss teaches sharing graphic application but does not specifically teach DirectDraw API based application.

AAPA teaches DirectDraw API based applications (DirectDraw is a well-known application program interface (API) that is used by applications to draw graphics on a presenter's computer screen, page 22 lines 24 – page 23 line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boss with the teachings of AAPA in order to facilitate shared applications having the DirectDraw APIs at the presenter's client computer.

Response to Arguments

16. Applicant's arguments have been fully considered but they are not deemed to be persuasive. Applicant argues in substance that:

(A) Argument: Boss does not disclose or teach or suggest "monitoring and intercepting function calls made by the shared application to a Graphics Device Interface".

Response: The shared application on the host computer is monitored by intercepting tasks (display driver calls) and if the task is part of the shared application it is transmitted and displayed to the client system (col. 2, lines 57-67), therefore, Boss meets the scope of the claimed limitation determining a position and a size of a non-DirectDraw region of a window displayed in a presenter screen by monitoring function calls made by the shared application to a Graphics Device Interface.

(B) Argument: Boss and AAPA do not disclose or teach determining the size and position of a non-DirectDraw region and a DirectDraw region of the window for the shared application and non-OpenGL region and an OpenGL region of the window for the shared application .

Response: Boss teaches determining a size and position of a graphics application that a host user wants to share with another user at a remote location. Boss teaches determining the size and position of both the graphics application region that the host user wants to share and the non-graphics application region that the host does not want to share (col. 5, lines 24-39). As explained in the previous office action Boss does not explicitly teach wherein the graphics application is either a DirectDraw or OpenGL API based application. However, AAPA teaches DirectDraw and OpenGL API based applications (DirectDraw and OpenGL are well-known application program interfaces (API) that is used by applications to draw graphics on a

presenter's computer screen, page 22 lines 24 – page 23 line 5). Therefore, Boss in view of AAPA meets the scope of the claimed limitation.

(C) Argument: Boss nor AAPA disclose or teach determining the position and size of the DirectDraw region by monitoring a DirectDraw com interface.

Response: Boss teaches determining a size and position of a graphics application that a host user wants to share with another user at a remote location. Boss teaches monitoring function calls made by the graphical user interface to determine the size and position of the graphics application (col. 5, lines 24-39). As explained in the previous office action Boss does not explicitly teach wherein the graphics application is a DirectDraw API based application. However, AAPA teach DirectDraw API based applications (DirectDraw is a well-known application program interface (API) that is used by applications to draw graphics on a presenter's computer screen, page 22 lines 24 – page 23 line 5). Therefore, Boss in view of AAPA meets the scope of the claimed limitation.

Contact Information

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
June 26, 2006

Ad

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SUPERVISORY PATENT EXAMINER